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KATHMANDU FOR OFDA REGIONAL ADVISOR WILLIAM BERGER

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SUBJECT: HUMANITARIAN AND HUMAN RIGHTS SITUATION IN THE
TRINCOMALEE DISTRICT

REF: COLOMBO 0310

11. (U) Summary: USAID Program Officer traveled to Trincomalee District April 22-26, 2007 to assess the humanitarian and human rights situation. The following organizations and locations were visited: the Human Rights Commission's field office, ICRC, UNHCR, UNICEF, UNOCHA, World Food Program (WFP), and the Kiliveddy IDP Transition Site. The Human Rights Commission field office identified needs and requested USG support while food distribution problems are noted at the Kiliveddy IDP Transition Site. End Summary.

Human Rights Office Needs and Monitoring

12. (U) Mrs. Mathiapparanam, the Head of the Trincomalee Human Rights Commission (HRC) field office, provided an overview of the office and its roles and responsibilities. In short, they are responsible for monitoring detainees, including displaced persons as well as regular citizens, being held at police headquarters; monitoring and follow-up on cases or complaints filed against any government agency including the police and public officials; conducting inquiries with public officials; obtaining written depositions; and forwarding the cases, as warranted, to the HRC main office in Colombo. The HRC field office staff is very small with Mrs. Mathiapparanam, one professional assistant, one typist, and one secretary to monitor human rights in the Trincomalee District. In addition, there is another office of five people specifically set up to monitor conditions in the IDP camps; that function is separate from the regular duties of the HRC field office. Their Spartan office resources include one computer, which was not functioning properly; seven vehicles, several of which required repair; and a few desks and notebooks. In addition to more capable field staff, the HRC field office is in desperate need of functioning computers, general office supplies, and vehicle repair and/or replacement.

HRC Field Office Work

13. (SBU) When we asked about the work load and types of cases the HRC field office manages, the following examples were provided. In the case of the NGO Non-Violent Peace Force, whose staff were stopped at a Trincomalee checkpoint with a grenade rolling around in the back seat of their vehicle, two Sri Lankan employees were immediately taken into custody for the requisite period of 14 days. The nature of this offense is severe by Sri Lankan law and the police have the right to hold individuals for up to 14 days to investigate further. When the HRC field office staff visited the detainees, the two men asked that the HRC field office not take their statements and not proceed with an inquiry because they feared for their personal safety while in custody and thought that their detainment might be extended by the police. The HRC field office agreed and the two held were released on the fourteenth day. The next step is for the men to go to the HRC field office to give formal statements in order for the inquiry to begin. (Note: Mrs. Mathiapparaam stated that based on the facts as she knew them, the grenade was planted in the NGO vehicle by the checkpoint military/police.)

14. (SBU) Mrs. Mathiaparanam added that the during the prior week, a group of 22 policemen went to the HRC field office to issue a complaint against the Trincomalee police because they were transferred to Trincomalee and had not been assigned proper sleeping facilities (no mattresses to sleep on) and some of them had not been paid. In another case, the field office reported that there had been a series of ?round-ups? in the Trincomalee area where police and military would raid neighborhoods, arresting people as they go. During the previous week, one of these raids took place and 22 people were arrested. The HRC field office was visiting them in jail. Their families were coming into the HRC field office to make complaints. Some of the families also report to the UNHCR, which leads to double counting. The HRC field office added that the most undisciplined people, and the cause of most of the tensions in

Trincomalee town, were with the untrained police and home guards who were routinely rude to and harassed citizens.

15. (SBU) The HRC field office also reported that there had been a lot of threats and kidnappings from the Karuna group. The threats were made over the telephone to extort money. Many businessmen were leaving Trincomalee due to these threats. There were gun-carrying youth, generally thought to be Karuna, in civilian clothing who ride their motorbikes through checkpoints without having to stop, while everyone else, including those traveling in NGO, ICRC, UN, and diplomatic vehicles, is stopped and searched. This was also witnessed by USAID personnel.

Coordination Combats GSL Lethargy

16. (SBU) A visit to the Kiliveddy IDP Transitional Site was conducted along with Greg Norton, the UNHCR Associate Field Officer for Protection. The UNHCR reported that the refugees are getting only about 40% of the needed daily food intake. WFP foods were available in a warehouse near Muttur but were not getting to the site. This was confirmed by the local Government of Sri Lanka (GSL) authority present at the site. One of the problems cited by both the UNHCR and the local GSL authority in getting the necessary quantity of food to the newly arrived IDPs was the lengthy time, sometimes up to two weeks, for the new families to receive registration cards. According to the local GSL authority, when a family arrives they are provided with one week?s worth of rations. No additional foods are provided until their registration cards are provided. The GSL has the responsibility and sole authority to issue the registration cards. Another problem cited by IDPs is that they do not know when the next allotment of food comes to the site, as there is no regular schedule. In a meeting with the WFP subsequent to this site visit, representatives confirmed that registration was a problem for new arrivals. The conditions at the site were very crowded, with multiple families living in temporary tents intended for far fewer people and for only a short amount of time. On this day, plastic tarps were distributed to those who were registered at the site. The tarps were needed to reinforce the top and sides of the temporary tents due to weather deterioration.

NO SAFE PLACE FOR CHILDREN

17. (SBU) UNHCR and USAID confirmed that there was no safe place for the children to play ? the child-friendly area has taken over additional IDPs. The UNHCR said the local government authority in the town of Muttur, located two hours north of the site, controls this site. Apart from the local GSL authority who works at the site, there seems to be a little interest on the part of the GSL to address the issues at the site. Although it is a transitional IDP site that was not intended to be permanent, some IDPs have been there several months and were displaced several times previously -- first during the tsunami, and later by the conflict, moving from Muttur to Batticaloa and finally to Kiliveddy. UN agencies have made numerous requests of the local authorities to upgrade the site to a permanent camp but GSL authorities have refused, citing the negative impression this would give. Meanwhile, an additional 115 families arrived at the site just one week prior to our visit and had already run out of food.

18. (SBU) Comment: Additional resources are required in order to address the human rights and humanitarian situation in Trincomalee. While USAID/OFDA and the WFP have provided needed and timely support to date, we look

forward to a visit by the Regional OFDA Coordinator May 14-17 to identify potential additional areas for USG humanitarian assistance.

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